

EXHIBIT

A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS	)	MDL No. 2419
LIABILITY LITIGATION)	
Plaintiffs,	)	Docket No. 1:13-md-2419 (RWZ)
)	
This document relates to:)	
)	
Armetta, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14022-RWZ)	
)	
Bowman, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14028-RWZ	)	<u>ORDER REGARDING PLAINTIFFS'</u>
	)	<u>MOTION TO STRIKE CERTAIN</u>
Davis, et al. v. Box Hill Surgery Center, LLC,	)	<u>AFFIRMATIVE DEFENSES, CROSS-</u>
et al.	)	<u>CLAIMS, AND THIRD-PARTY CLAIMS</u>
No. 1:14-cv-14033-RWZ	)	<u>FROM ANSWER TO COMPLAINTS BY</u>
	)	<u>DEFENDANTS BOX HILL SURGERY</u>
Dreisch, et al. v. Box Hill Surgery Center,	)	<u>CENTER, LLC, RITU T. BHAMBHANI,</u>
LLC, et al.	)	<u>M.D., AND RITU T. BHAMBHANI,</u>
No. 1:14-cv-14029-RWZ	)	<u>M.D.,LLC</u>
)	
Farthing, et al. v. Box Hill Surgery Center,)	
LLC, et al.)	
No. 1:14-cv-14036-RWZ)	
)	
Kashi, et al. v. Box Hill Surgery Center, LLC,)	
et al.)	
No. 1:14-cv-14026-RWZ)	
)	
Torbeck, et al. v. Box Hill Surgery Center,)	
LLC, et al.,)	
No. 1:14-cv-14023-RWZ)	
)	
Handy, et al. v. Box Hill Surgery Center,)	
LLC, et al. No. 1:14-cv-14019-RWZ)	
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ORDER

UPON CONSIDERATION of Plaintiffs' Motion To Strike Certain Affirmative Defenses, Cross-Claims and Third-Party Claims From Answer To Complaints By Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambhani, M.D., and Ritu T. Bhambhani, M.D., LLC. (Document 8), it is this _____ day of _____, 2015, hereby ORDERED that the Motion is GRANTED and that the following defenses are stricken from Box Hill Defendants' Answer to Complaint in each of the above-captioned cases:

- (1) Defendants' Affirmative Defense Paragraph 4, an assertion of entitlement to a credit for any expenses paid by insurance or other third parties, which are claimed as damages by Plaintiffs; and
- (2) Defendants' Affirmative Defenses paragraphs 8, 23, 28 and 29, which include assertions of claims for contribution, settlement credit from co-Defendants or Third-Parties, and entitlement to reductions of any judgments entered in favor of Plaintiffs against Box Hill Defendants under the theories of joint tortfeasor liability on the part of those entities defined in Paragraph 28 as "Affiliated Defendants" and "Unaffiliated Defendants";
- (3) Defendants' cross claim for contribution and indemnification asserted in Paragraph 30 against "Affiliated Defendants"; and

(4) Defendants' cross claim for contribution and indemnification asserted in Paragraph 31 against "Unaffiliated Defendants".

The Honorable Rya W. Zobel
U.S. District Court, District of Massachusetts

cc: Patricia J. Kasputys
Sharon L. Houston
Harry M. Roth
Michael Coren
Gregory K. Kirby